



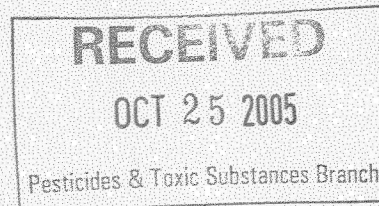
ENVIRONMENTAL LIABILITY MANAGEMENT, INC.

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October 21, 2005

-- Via Facsimile (732-321-6788) and Mail --



Mr. Daniel Kraft
Pesticides and Toxic Substances Branch
United States Environmental Protection Agency
2890 Woodbridge Avenue
Edison, NJ 08837

RE: BASF Corporation, 50 Central Avenue, Kearny, New Jersey
Response to Comments Regarding October 4, 2005 Notification
of Self-Implementing PCB Cleanup

Dear Mr. Kraft:

In response to your October 19, 2005 comment letter, the BASF Corporation (BASF) is amending its October 4, 2005 Notification of Self-Implementing PCB Cleanup (the Notification) at its Kearny, New Jersey property to specify that post-excavation verification sampling will be conducted. Further, if the post-excavation sampling determines that polychlorinated biphenyls (PCBs) remain in soil at concentrations greater than 100 milligrams per kilogram (mg/kg), as allowed pursuant to 40 CFR 761.61(a)(4)(i)(B)(3), additional removal will be conducted and additional verification sampling will be performed.

As presented in the October 4, 2005 Notification, previous sampling conducted pursuant to SubPart N (40 CFR 761.20, *et seq.*) of the regulations pertaining to PCB manufacturing, processing and distribution found that PCBs are present at concentrations greater than 50 mg/kg in two areas of the Kearny property, termed TSCA-East and TSCA-West. This previous sampling further defined the specific 3 meter (m) by 3 m areas in which PCBs were present at concentrations greater than 50 mg/kg. These individual areas were presented in Figures 2 and 3 of the October 4, 2005 Notification, and concentrations ranged from slightly over 50 mg/kg to 100 mg/kg. The highest concentrations were found in the 2 - 4 foot interval, and, where vertical sampling was conducted, PCB concentrations declined with depth.

BASF has proposed to remove all soil above the water table (approximately 4 feet) in these locations and dispose of it at a facility approved to receive TSCA soils. Currently, it is expected that the soils will be transported to the CWM Chemical Services, LLC (Waste Management) Model City facility. The excavated area would then be backfilled with certified clean fill, which will constitute a cap as per 40 CFR 761.61 (a)(7), and a Deed Notice

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will be field as per 40 CFR 761.61 (a)(8). Based on the data that have been collected, no PCBs would remain in soil at a concentration exceeding 100 mg/kg.

As per 40 CFR 761.61 (a)(6), BASF will conduct post-excavation verification sampling to confirm the residual PCB concentrations are below 100 mg/kg. Similar to the site characterization sampling that was previously performed, samples will be obtained from the corners of each 3m x 3m grid where PCBs were previously found at concentrations greater than 50 mg/kg and mixed to form one composite sample. The samples will be obtained from to one foot interval beneath the bottom of the excavation.

The samples will be analyzed for PCBs by EPA Method 8082. If the PCB concentrations are less than 100 mg/kg, the excavation will be backfilled. If PCB concentrations are greater than 100 mg/kg, additional excavation will be conducted and verification sampling will be performed.

We hope that this proposal addresses the concerns presented in your October 19, 2005 letter. If you have any questions, please call Hank Martin, P.E. at (973) 263-5820.

Sincerely,

ENVIRONMENTAL LIABILITY MANAGEMENT, INC.



Hank Martin, P.E.
Principal

LJL/ksd